

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PATRICK RONALD RUSSELL,

Plaintiff,

VS.

ROBERT HOUSTON, DENNIS
BAKEWELL, MELVIN ROUF, CURTIS
MOFFAT, MICHAEL EDISON and
MARK DANNER

Defendants.

4:09CV3249

ORDER

Pursuant to a stipulation of counsel for parties filed with this Court and for good cause shown, it is hereby ordered that the file of the State of Nebraska Department of Correctional Services (DCS) concerning Thomas Nesbitt, # 36998, and maintained pursuant to Neb. Rev. Stat. § 83-178 (2008), be made available for inspection by Joshua W. Weir, Attorney at Law under the following conditions:

1. That the inspection of the file in question be conducted by counsel or counsel's representative at the DCS institution which currently maintains said file.
2. That any copies of material from said file desired by counsel be identified by counsel to institutional personnel whose responsibility it shall be to create and deliver to counsel the requested copies within a reasonable time following the request. This order does not encompass any pre-sentence reports which may be in the inmate file and requests for copies of such documents must be obtained separately by court order from the court which requested the report to be made.

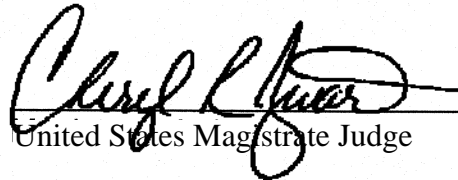
3. That the reasonable cost of the copies requested by counsel shall be paid by counsel directly to the DCS institution creating and delivering said copies.

4. That counsel shall not make available to any person committed to DCS the content of the file here in question without further order of this Court.

5. The entry into this Stipulation by the parties in no way relieves either party from complying with the Federal Rules of Civil Procedure.

Dated this 17th day of May, 2011.

BY THE COURT:


United States Magistrate Judge